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Palm Inc.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

ARTIFEX SOFTWARE INC., a California corporation.

Case No. 5:09-cv-05679-JF

STIPULATION REGARDING DISCOVERY SCHEDULE

Plaintiff,

V.

23 PALM INC., a Delaware corporation,

Defendant.

STIPULATION

Plaintiff Artifex Software Inc. (“Artifex”), on the one hand, and defendant Palm Inc. (“Palm”) on the other hand, by and through their respective counsel of record, hereby agree and stipulate as follows:

WHEREAS, the parties filed a stipulation to extend discovery on August 17, 2010 (Docket No. 22);

WHEREAS, the Court approved of the new schedule on August 24, 2010 (Docket No. 23);

WHEREAS, the parties have engaged in repeated discussions in an effort to resolve this matter;

WHEREAS, the parties engaged in only limited discovery during the pendency of their discussions;

WHEREAS, the parties are still engaged in discussions in an effort to resolve this matter;

NOW THEREFORE, the parties, through their respective counsel of record, request that the Court adjust the case schedule as follows subject to the following requested dates being consistent with the Court's schedule:

- (a) extend merits discovery until December 17, 2010;
 - (b) set expert disclosures for February 4, 2011;
 - (c) set expert rebuttal reports for March 4, 2011;
 - (d) set expert discovery cutoff for April 15, 2011;
 - (e) set last day to file dispositive motions for April 26, 2011;
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 - (f) set pre-trial conference for May 24, 2011;

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1 (g) commence trial on June 6, 2011.

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3 Dated: September 30, 2010

DARIN W. SNYDER
4 O'MELVENY & MYERS, LLP

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6 By: /s/ Darin W. Snyder
Darin W. Snyder
7 Attorneys for Artifex Software Inc.

8 Dated: September 30, 2010

RAGESH K. TANGRI
9 DURIE TANGRI LLP

10 By: /s/ Ragesh K. Tangri
Ragesh K. Tangri
11 Attorneys for Palm Inc.

12 **ATTESTATION**

13 Pursuant to General Order No. 45 X(B), I hereby attest that concurrence in the filing of
14 this document has been obtained from Ragesh K. Tangri.

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16 By: /s/ Darin W. Snyder
Darin W. Snyder

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19 DATED: 10/5/10

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21 IT IS SO ORDERED.
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UNITED STATES DISTRICT COURT JUDGE
